<div align="center">**REMARKS/ARGUMENTS**</div>

The Office Action dated April 20, 2007 has been received and carefully reviewed. Claims 1-48 and 58-61 have been rejected. Through this Amendment and Response, claims 1-4, 8-14, 16-17, 19-21, 24, 58, 60 and 61 have been amended and claims 5, 7, 15, 18, 22-23, 25-57 and 59 have been canceled. No new matter has been introduced into the application. As explained in more detail below, Applicant submits that all claims are in condition for allowance and respectfully request such action.

Claim Rejections – 35 USC § 103

Claims 1-48 and 58-61 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Tracton, et al. (U.S. Pat. No. 6,470,378) in view of del Val, et al. (U.S. Pat. No. 6,128,653) and Hallberg (U.S. Pat. No. 6,658,199). Applicants respectfully request reconsideration in view of the following Remarks.

Through this Amendment and Response, independent claims 1, 9, 17, and 58 have been amended. Specifically, the claims were amended to more clearly recite: 1) the composition of the first data stream, 2) the creation of the second data stream, and 2) the storing of time stamp information.

<u>Composition of the First Data Stream</u>

Claims 1, 9, 17, and 58 have been amended to indicate that the "first data stream compris[es] a motion video having a plurality of intra-frames, each intra-frame being distant from another intra-frame by at least one inter-frame, the motion video having initial presentation characteristics, wherein the motion video is synchronized to audio data." Support for the amendment may be found throughout the Specification, such as page 4, ll. 10-20 and page 7, ll. 18-26.

<u>Creation of the Second Data Stream</u>

Claims 1, 1, 9, 17, and 58 have been amended to indicate that "the second data stream is created by filtering inter-frames between each intra-frame of the first data stream, causing the number of inter-frames between each intra-frame to be an altered value from a group of available values, according to a presentation speed selected from a plurality of presentation speeds specified within the first control command." Support for this amendment may also be found throughout the Specification, such as at page 7, ll. 6-17 and page 8, ll. 4-16.

<u>Time Stamp Information</u>

Claim 1 has also been amended to recite the step of "storing time stamp information for maintaining synchronization of the motion video and audio data comprising the location and timing of each audio and video frame relative to the beginning of the motion video." Claim 9 has been amended to recite "time stamp information is created for maintaining synchronization of the motion video and audio data comprising the location and timing of each audio and video frame relative to the beginning of the motion video." Claims 17 and 58 include "a computer readable medium for storing time stamp information for maintaining synchronization of the motion video and audio data comprising the location and timing of each audio and video frame relative to the beginning of the motion video." Support for the amendment may be found throughout the Specification, such as at page 9, ll. 4-14.

Applicants respectfully submit that none of the art of record, whether individually or in combination, teach, suggest, or disclose, the subject matter of independent claims 1, 9, 17, and 58 as amended.

Both *Hallberg* and *Tracton* appear to be directed towards altering a video stream before the viewer receives the stream. Specifically, *Hallberg* discloses a method for creating a transport

stream that conforms to the limits of a MPEG digital video system using a digital video recorder. (*Hallberg*, Column 1, lines 7 – 10; and Abstract). Applying the teachings of *Hallberg* with *del Val* and *Tracton* does not produce the subject matter of the present invention.

Neither reference discloses a second data stream that is "based upon reception of the first control command," wherein "the second data stream is created by filtering inter-frames between each intra-frame of the first data stream, causing the number of inter-frames between each intra-frame to be an altered value from a group of available values, according to a presentation speed selected from a plurality of presentation speeds specified within the first control command." Nor do the references of record disclose the time stamp information as recited in claims 1, 9, 17 and 58. For at least these reasons, Applicants respectfully submit that none of the art of record, whether individually or in combination, disclose the subject matter of claim 1, 9, 17 and 58, and thus respectfully request reconsideration and withdrawal of the rejection.

The pending claims depending from claims 1, 9, 17, and 58 have been amended to provide clarity, proper antecedent basis, and correct dependency and are allowable for at least the reasons that the independent claims are found to be distinguishable from the art of record. Applicants, therefore, respectfully request withdrawal of the rejection and allowance of the claims.

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CONCLUSION

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It is believed that no fee is required for this submission. If any fees are required or if an overpayment is made, the Commissioner is authorized to debit or credit our Deposit Account No. 19-0733, accordingly.

All rejections having been addressed, applicant respectfully submits that the instant application is in condition for allowance, and respectfully solicits prompt notification of the same. Should the Examiner have any questions, the Examiner is invited to contact the undersigned at the number set forth below.

Respectfully submitted,

BANNER & WITCOFF, LTD.

Dated: October 10, 2007   By: _____

Shawn P. Gorman
Reg. No. 56,197

BANNER & WITCOFF, LTD.
10 South Wacker Drive
Suite 3000
Chicago, IL 60606
Tel: (312) 463-5000
Fax: (312) 463-5001